The Municipal Board

Annual Report 2004

Manitoba

105-05152/

The Municipal Board

Annual Report 2004

Manitoba

THE MUNICIPAL BOARD OF MANITOBA

1144 - 363 Broadway
Winnipeg, Manitoba R3C 3N9

March 1, 2005

Honourable Scott Smith
Minister of Intergovernmental Affairs and Trade
Room 301 - Legislative Building
Winnipeg, MB R3C 0V8

Dear Minister:

In accordance with Section 106 of *The Municipal Board Act*, I am pleased to submit the Annual Report of The Municipal Board for the year ending December 31, 2004.

Yours Respectfully,

Peter Diamant

Peter G. Diamant
Chair

THE MUNICIPAL BOARD

ANNUAL REPORT FOR THE YEAR ENDING

DECEMBER 31, 2004

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THE MUNICIPAL BOARD OF MANITOBA

Peter G. Diamant, Chair

MEMBERS (2004)

Inongé Aliaga LaBun, Winnipeg
Bill Barlow, Gimli
Ardythe Basham, Winnipeg
John Blewett, Winnipeg
Grant Buchanan, The Pas
Neil Cooper, Winnipeg
George Corbett, Winnipeg
Douglas Dobchuk, Winnipeg
Neil Harden, Winnipeg
Ed Hart, Minitonas
William Hinther, Winnipeg
Jim Husiak, Winnipeg
Cyril Keeper, Winnipeg
Don Kille, Brandon
Dave Lethbridge, Stonewall
Robert G. Loiselle, Winnipeg
Nora Losey, Winnipeg
Budd Mager, Lac du Bonnet
Greg Mandzuk, Winnipeg
Ross Martin, Winnipeg
Monique Mulaire, Winnipeg
Jim Neil, Winnipeg
Russell Newton, Neepawa
Jack Nicol, Dugald
Charlotte Onski, Winnipeg
Becky Parkes, Winnipeg
Chris Pawley, Selkirk
John Plohman, Winnipeg
Arthur Proulx, Winnipeg
Garth Rice, Brandon
Mario Santos, Winnipeg
Leona Schroeder, Winnipeg
Meir Serfaty, Brandon
Wendy Sigmar, Winnipeg
Arnold Sinclair, Dallas
Michelle Smith, Lorette
Lawrence Paul Stene, Winnipeg
Morgan Svendson, Winnipeg
Darlene Swiderski, Selkirk
Frank Thibedeau, Winnipeg
Ram Tiwari, Winnipeg
Sudesh K. Treon, Winnipeg
Marilyn Walder, Winnipeg
Grant Wichenko, Winnipeg

Lori A. Lavoie, Vice Chair
Denis Guénette, Vice Chair
Rose Gibbons, Secretary of the Board

EMPLOYEES

Assistant Secretary — Laurette Greenlay
Administrative Secretary — Mary Jarowec
Administrative Secretary — Pat Markotjohn
Administrative Secretary — Elaine Pociuk
Administrative Secretary — Shelley Riopka
Administrative Secretary — Leona Van Osch
Administrative Secretary — Maureen Collis (casual)
Administrative Secretary — Ana Escobar (term)

REMARKS FROM THE CHAIR

The Municipal Board is established under *The Municipal Board Act* and is required to report annually to the Minister of Intergovernmental Affairs and Trade on the activities of the Board for the previous year.

A summary of the applications made to the Board over the past year is set out on page 3 of this report. As of January 1, 2004, there were 1,503 outstanding applications, appeals and referrals, of which 985 were Winnipeg Assessment Appeals. During the year, 388 new matters were received and 804 matters were dealt with leaving 1,087 outstanding applications, appeals and referrals as of December 31, 2004.

The full complement of the Board, as of December 31, 2004, is 43 Members, including the Chair, Vice Chair and 5 Acting Chairs. The Board holds regular meetings of the Acting Chairs to keep the Acting Chairs and Members informed of the complex issues facing the Board. The Board welcomes Denis Guénette as Vice Chair. Denis is a full time Vice Chair and he provides the Board with additional capacity to deal with the increased hearing schedule that will result from the general reassessment in 2005.

The Board Website, www.gov.mb.ca/municipalboard, established in 2003 to assist applicants in preparing and presenting their appeals before the Board and to increase awareness of the Assessment Appeal process, is up and running.

The Board is faced with a number of challenges in 2005. The primary challenge is to deal effectively with the outstanding Winnipeg Assessment Appeals. While the number of new appeals in this last year of the assessment cycle has decreased, the City is having difficulty scheduling the outstanding Appeals prior to the reassessment. The Board has met with the City Assessor to discuss the large number of outstanding Winnipeg Appeals. The Board continues to work to reduce the backlog of cases and to decrease the turn around time in the production of Board Orders.

The Board has reviewed its procedures and consulted with the City and Provincial Assessors and with Agents who frequently appear before the Board. The Board has initiated a Case Management Strategy to assist the parties in dealing with outstanding issues prior to an appeal proceeding to a hearing. The Board is pleased with its success and has encouraged the City to increase the number of appeals dealt with through the Case Management process.

The Board has witnessed not only an increase in the number of Assessment Appeals but also an increase in complexity and length of the hearings. The Board has 1,047 outstanding Realty Assessment Appeals with a large number being appeals of high value commercial properties. There has been an increase in the number of pre-hearing conferences and the Board has been required, more frequently, to rule on procedural, jurisdictional and admissibility of evidence issues.

The number of hearings and referrals relating to *The Planning Act* and *The Municipal Act* has remained constant and the Board has seen a modest increase in other types of hearings. The Board did not hold any inquires of its own motion in 2004, nor did it issue any licenses, permits or certificates. The fees collected by the Board are summarized on page 32.

In conclusion, I wish to express my thanks and appreciation to the Members of the Board for their co-operation and support. The Members have responded to the increase in the complexity and length of hearings with dedication and commitment to the process. I also would like to thank the former Vice Chair, Lori Lavoie, who has moved from Manitoba. Her commitment and assistance to the Board during her four years as Vice Chair will be missed.

As Chair, I must acknowledge the significant role of the Administration and Staff in ensuring that the Board functions smoothly and efficiently. The Staff's hard work plays an important part in the Board meeting the challenges it faces. I thank them for their contribution to the success of The Municipal Board in carrying out its mandate.

Peter G. Diamant
Chair

REMARQUES DU PRÉSIDENT

La Commission municipale, établie en vertu de la *Loi sur la Commission municipale*, doit faire rapport tous les ans au ministre des Affaires intergouvernementales et du Commerce sur ses activités exercées au cours de l'année précédente.

On trouvera, en page 3 du présent rapport, un sommaire des demandes soumises à la Commission au cours de la dernière année. Au 1er janvier 2004, 1 503 demandes, appels et renvois étaient en suspens devant la Commission, dont 985 appels interjetés contre l'évaluation fixée par la Ville de Winnipeg. Durant l'année, la Commission a été saisie de 388 nouvelles affaires et a traité 804 demandes, ce qui a laissé en tout, au 31 décembre 2004, 1 087 demandes, appels et renvois en suspens.

Au 31 décembre 2004, la Commission municipale comptait 43 membres, notamment le président, le vice-président et cinq présidents suppléants. La Commission a tenu des réunions ordinaires des présidents suppléants et de ses membres afin de les tenir au courant des questions complexes dont elle doit s'occuper. La Commission accueille M. Denis Guénette au poste de vice-président. M. Guénette, qui est vice-président à temps plein, apporte un renfort qui permettra à la Commission de s'occuper d'un calendrier d'audiences qui sera encore plus chargé à la suite de la réévaluation générale effectuée en 2005.

Le site Web de la Commission, à l'adresse www.gov.mb.ca/municipalboard, mis sur pied en 2003 afin de mieux renseigner la population sur le processus d'appel et d'informer les requérants sur la façon de préparer leur appel et de le présenter à la Commission, est en fonctionnement.

La Commission fait face à plusieurs défis en 2005, le principal étant de traiter avec efficacité les appels en suspens liés à l'évaluation foncière fixée par la Ville de Winnipeg. Malgré la diminution du nombre de nouveaux appels interjetés au cours de l'année terminée, la dernière du cycle d'évaluation, la Commission a quelques difficultés à établir les horaires pour entendre les appels liés à l'évaluation fixée par la Ville de Winnipeg. La Commission a rencontré l'évaluateur de la Ville afin de discuter du nombre important d'appels en suspens liés à l'évaluation foncière. La Commission travaille toujours à réduire le nombre de cas en suspens et les délais de délivrance de ses ordonnances.

La Commission a revu ses procédures et a consulté des évaluateurs de la Ville et de la Province, ainsi que des agents qui se présentent souvent devant elle. La Commission a établi une stratégie de gestion des cas pour aider les parties concernées à traiter les questions en suspens avant le processus d'appel menant à une audience. La Commission est heureuse que cette stratégie ait donné de bons résultats, et elle a encouragé la Ville à augmenter le nombre d'appels traités au moyen du processus de gestion de cas.

La Commission a constaté l'augmentation du nombre d'appels liés à l'évaluation, ainsi que la complexité et la durée croissantes des audiences. Il y a présentement devant la Commission 1 047 appels en suspens liés à l'évaluation foncière, dont un grand nombre ont trait à des appels interjetés contre l'évaluation de propriétés commerciales à valeur élevée. Le nombre de conférences préalables aux audiences a augmenté et la Commission a dû rendre des décisions plus souvent sur des questions de procédure, de compétence et d'admissibilité de preuves.

Le nombre des audiences et des renvois liés à la *Loi sur l'aménagement du territoire* et à la *Loi sur les municipalités* est demeuré inchangé. Le nombre des autres types d'audiences a légèrement augmenté. En 2004, la Commission n'a pas mené d'enquêtes de son propre chef et n'a pas non plus délivré de licences, de permis ou de certificats. On trouvera à la page 32 du présent rapport un sommaire des droits perçus par la Commission.

En terminant, j'aimerais exprimer mes remerciements et ma gratitude à tous les membres de la Commission pour leur collaboration et leur appui. Ils ont répondu à l'augmentation de la complexité et de la durée des audiences avec dévouement et persévérance. J'aimerais également remercier la vice-présidente sortante, M^me^ Lori Lavoie, qui a maintenant quitté le Manitoba. Son dévouement envers la Commission et le soutien qu'elle nous a apporté pendant les quatre années où elle a été vice-présidente nous manqueront.

En tant que président, je me dois de saluer le rôle important joué par la direction et le personnel afin d'assurer le fonctionnement harmonieux et efficace de la Commission. Grâce à leurs efforts soutenus, la Commission peut relever les défis qui se présentent à elle. Je les remercie de leur contribution au succès de la Commission dans l'exécution de son mandat.

Le président,

Peter Diamant

Peter G. Diamant

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

CONSOLIDATED SUMMARY OF ACTIVITY

A summary of all Applications, Appeals and Referrals set forth on pages 5 to 25:

	2003	2004
Applications, Appeals and Referrals Outstanding as at January 1st	1,729	1,503
New Applications, Appeals and Referrals Received	701	388
	2,430	1,891

Applications, Appeals and Referrals Disposed of:

	2003	2004
Applications Approved and Appeals Allowed	479*	406
Applications Rejected and Appeals Dismissed	235	150
Reports and Recommendations Submitted	7	12
Applications, Appeals and Referrals Withdrawn and/or Closed by Minute	202	236
	923*	804

Applications, Appeals and Referrals Outstanding as at December 31st	**1,507***	**1,087**

* Should read 483, 927 and 1503 in the 2003 Annual Report

MISCELLANEOUS ACTS

The Municipal Board has responsibilities under other Statutes, but under which it has had no applications or active files in 2004.

The Acts are as follows:

The Expropriation Act, R.S.M. 1987, c.E190

The Health Services Insurance Act, R.S.M. c.H35

The Heritage Resources Act, S.M. 1985-86, c.10 - Cap. H39.1

The Highway Traffic Act, S.M. 1985-86, c.3 - Cap. H60

The Public Schools Act, R.S.M. 1987, c.P250

The Real Property Act, R.S.M. 1988, c.R30

The Regional Waste Management Authorities Act, R.S.M. 1993, c.11-Cap R38

The Water Resources Administration Act, R.S.M. 1987, c.W70

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications to amalgamate two or more municipalities or for the annexation by a municipality of land from another municipality: Section 34

	2003	2004
Applications Outstanding as at January 1st	4	5
Applications Received	3	2
	7	7

Applications Disposed of:

	2003	2004		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	0	3		
Applications Withdrawn and/or Closed by Minute	2	0		
			2	3
Applications Outstanding as at December 31st			5	4

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications concerning a disagreement between Council of a Municipality or a Representative of Petitioners relating to the formation of a Local Urban District: Section 60 *et seq.*

	2003	2004
Applications Outstanding as at January 31st	1	0
Applications Received	0	0
	1	0

	2003	2004		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	0	0		
Applications Withdrawn and/or Closed by Minute	1	0		
			1	0
Applications Outstanding as at December 31st			**0**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ACT, S.M. 1996, c. 58 - Cap. M225

Applications for approval of borrowing: Section 172 *et seq.*

	2003	2004
Applications Outstanding as at January 1st	1	0
Applications Received	12	15
	13	15

Applications Disposed of:

	2003	2004
Applications Approved	13	13
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	13	13
Applications Outstanding as at December 31st	**0**	**2**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ACT, S.M. 1996, c. 58 – Cap. M225

Applications for approval of By-laws respecting local improvements: Sections 311 & 320

	2003	2004
Applications Outstanding as at January 1st	8	1
Applications Received	59	63
	67	64

Applications Disposed of:

	2003	2004
Applications Approved	63	56
Applications Rejected	1	0
Applications Withdrawn and/or Closed by Minute	2	0
	66	56
Applications Outstanding as at December 31st	1	8

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ACT, S.M. 1996, c. 58 – Cap. M225

Applications for approval of By-laws respecting Special Services: Sections 312 & 320

	2003	2004
Applications Outstanding as at January 1st	0	1
Applications Received	11	5
	11	6

Applications Disposed of:

	2003	2004
Applications Approved	10	4
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	1
	10	5
Applications Outstanding as at December 31st	1	1

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ACT, S.M. 1996, c.58 - Cap. M225

Application to review a By-law that divides a Municipality into Wards and establishes ward boundaries or a By-law that eliminates wards or changes the number of wards or ward boundaries. Section 89(1)

	2003	2004
Applications outstanding as at January 1st	0	0
Applications received as at January 1st	0	1
	0	1

Applications Disposed of:

	2003	2004
Applications Allowed	0	0
Applications Referred back to Council for further consideration	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	0	0
Applications Outstanding as at December 31st	**0**	**1**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property in The City of Winnipeg: Section 56(2)

		2003	2004
Appeals Outstanding as at January 1st		1,532	1,314♦
*	Appeals Received	452	217
		1,984	1,531

Appeals Disposed of:

		2003	2004
**	Appeals Allowed	326	264
	Appeals Dismissed	187	83♦
	Appeals Withdrawn and/or Closed by Minute	158	199
		671	546
	Appeals Outstanding as at December 31st	**1,313**	**985**

* Includes appeals by the Assessor for The City of Winnipeg as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

♦ Includes the application on page 13.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, c.24 - Cap. M226

Appeals respecting the assessment and classification of property outside The City of Winnipeg: Section 56(2)

		2003	2004
	Appeals Outstanding as at January 1st	162	163
*	Appeals Received	114	16
		276	179

Appeals Disposed of:

		2003	2004
**	Appeals Allowed	61	36
	Appeals Dismissed	20	57
	Appeals Withdrawn and/or Closed by Minute	32	24
		113	117
	Appeals Outstanding as at December 31st	163	62

* Includes appeals by the Provincial Municipal Assessor as well as by ratepayers.

** Includes all appeals where the assessment has been increased or decreased, or the classification changed.

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL ASSESSMENT ACT, S.M. 1989-90, C.24 Cap. M226

Applications to have assessments redone: Section 60(3)

	2003	2004
Applications Outstanding as at January 1st	0	1
Applications Received	1	0
	1	1

Applications Disposed of:

	2003	2004
Applications Allowed	0	0
Applications Dismissed	0	1
Applications Withdrawn, and/or Closed by Minute	0	0
	0	1
Applications Outstanding as at December 31st	**1**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to review, rescind, change, alter or vary a decision or order made by the Board: Section 46(3)

	2003	2004
Applications Outstanding as at January 1st	7	5
Applications Received	26	19
	33	24

Applications Disposed of:

	2003	2004
Orders Revised	4	13
Applications Rejected	24	5
Applications Withdrawn and/or Closed by Minute	0	1
	28	19
Applications Outstanding as at December 31st	5	5

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Applications to vary, cancel, or substitute a Building Restriction Caveat: Section 104(1) *et seq.*

	2003	2004
Applications Outstanding as at January 1st	1	0
Applications Received	1	6
	1	6

Applications Disposed of:

	2003	2004
Applications Granted	1	6
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	1	6
Applications Outstanding as at December 31st	**0**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE MUNICIPAL BOARD ACT, R.S.M. 1987, c.M240

Complaint that a Local Authority, Corporation or any person has unlawfully done or unlawfully failed to do, or is about to unlawfully do or not to do something relating to a matter over which The Municipal Board has jurisdiction: Section 34

	2003	2004
Applications Outstanding as at January 1st	1	0
Applications Received	2	1
	3	1

Applications Disposed of:

	2003	2004
Applications Granted	0	0
Applications Rejected	2	1
Applications Withdrawn and/or Closed by Minute	1	0
	3	1
Applications Outstanding as at December 31st	0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications to establish a Planning District referred to the Board by the Minister: Section 12(1) *et seq.*

	2003	2004
Referrals Outstanding as at January 1st	0	1
Referrals Received	3	0
	3	1

Referrals Disposed of:

	2003	2004		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	2	1		
Referrals Withdrawn and/or Closed by Minute	0	0		
			2	1
Referrals Outstanding as at December 31st			1	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE PLANNING ACT, R.S.M. 1987, c.P80

Objections to a By-law to adopt and/or amend a Development Plan or Basic Planning Statement filed with the Minister and referred to the Board: Section 30(4) *et seq.*

	2003	2004
Referrals Outstanding as at January 1st	2	3
Referrals Received	6	13
	8	16

Referrals Disposed of:

	2003	2004		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	4	8		
Referrals Withdrawn and/or Closed by Minute	1	1		
			5	9
Referrals Outstanding as at December 31st			**3**	**7**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE PLANNING ACT, R.S.M. 1987, c.P80

Applications for approval of Zoning By-laws: Section 43(1) *et seq.*

	2003	2004
Applications Outstanding as at January 1st	3	3
Applications Received	6	10
	9	13

Applications Disposed of:

	2003	2004		
Applications Approved	4	9		
Applications Rejected	0	0		
Applications Withdrawn and/or Closed by Minute	2	2		
			6	11
Applications Outstanding as at December 31st			3	2

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE PLANNING ACT, R.S.M. 1987, c.P80

Appeals from decisions of the Approving Authority (subdivision of land): Section 68(1) *et seq.*

	2003	2004
Appeals Outstanding as at January 1st	4	5
Appeals Received	3	7
	7	12

Appeals Disposed of:

	2003	2004
Appeals Allowed	0	1
Appeals Dismissed	1	2
Appeals Withdrawn and/or Closed by Minute	1	5
	2	8
Appeals Outstanding as at December 31st	5	4

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE WATER RIGHTS ACT, R.S.M. 1988, c.W280

Appeals against an order or decision of the Minister under this Act: Section 24

	2003	2004
Appeals Outstanding as at January 1st	3	2
Appeals Received	1	9
	4	11

Appeals Disposed of:

	2003	2004
Appeals Allowed	1	0
Appeals Dismissed	0	2
Appeals Withdrawn and/or Closed by Minute	1	3
	2	5
Appeals Outstanding as at December 31st	2	6

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE CITY OF WINNIPEG ACT, S.M. 1989-90, c.10

Objections to a Plan Winnipeg By-law filed with the Minister and referred to The Municipal Board: Section 58(1)

	2003	2004
Referrals outstanding as at January 1st	1	0
Referrals Received	0	0
	1	0

Referrals Disposed of:

	2003	2004		
Reports and Recommendations Submitted to the Minister of Intergovernmental Affairs	1	0		
Referrals Withdrawn and/or Closed by Minute	0	0		
			1	0
Referrals Outstanding as at December 31st			**0**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE SPECIAL SURVEY ACT, R.S.M. 1987, c.S190

Complaints against Plan of Special Survey: Section 6

	2003	2004
Applications Outstanding as at January 1st	0	0
Applications Received	1	1
	1	1

Applications Disposed of:

	2003	2004		
Appeals Allowed	0	1		
Appeals Dismissed	0	0		
Referrals Withdrawn and/or Closed by Minute	1	0		
			1	1
Referrals Outstanding as at December 31st			0	0

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Municipal Public Libraries: Section 9(2)

	2003	2004
Applications Outstanding as at January 1st	0	0
Applications Received	0	1
	0	1

Applications Disposed of:

	2003	2004
Applications Approved	0	1
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0

	0	1
Applications Outstanding as at December 31st	**0**	**0**

SUMMARY OF APPLICATIONS, APPEALS AND REFERRALS (2003 & 2004)

THE PUBLIC LIBRARIES ACT, R.S.M. 1987, c.P220

Applications for the authorization of municipal By-laws establishing Regional Public Libraries: Section 22(2)

	2003	2004
Applications Outstanding as at January 1st	0	0
Applications Received	0	2
	0	2

Applications Disposed of:

	2003	2004
Applications Approved	0	2
Applications Rejected	0	0
Applications Withdrawn and/or Closed by Minute	0	0
	0	2
Applications Outstanding as at December 31st	0	0

CAPITAL BORROWING OF LOCAL AUTHORITIES

The 2004 activity relating to Municipal borrowing has decreased from that of 2003. This is indicated in the number of applications received and the dollar amount borrowed. Borrowing purposes for the two years are summarized as follows:

	2003	2004
New Applications	73	64
Borrowing Authorized		
Water and Sewer	$13,617,916	$20,604,107
Streets, Sidewalks, Lighting	3,650,141	4,485,131
Municipal Buildings, Libraries, Community Centres, Arenas	2,759,900	900,000
Machinery and Equipment	505,000	196,500
Natural Gas	296,000	235,000
Land Purchases and Development	1,666,596	183,000
Other	1,045,000	2,196,319
TOTAL	$23,540,553	$29,800,057

Details of the amounts of borrowing authorized for each individual municipality are shown on pages 28 to 31 (City of Winnipeg borrowing, which is not subject to Municipal Board approval, is not included in the above figures).

The amounts of debentures issued and marketed in 2004 as compared to 2003 are summarized as follows:

PURCHASER	2003	2004
Credit Unions	$ 2,335,218	$ 2,560,674
Banks	1,044,088	316,000
General Public	1,151,500	27,850
Fiscal Agent	483,569	232,095
Municipal Reserve Funds	107,500	1,015,998
Minister of Finance	7,295,613	12,915,037
TOTAL	$12,417,488	$17,067,654

The interest rates payable by Municipalities on debentures issued in 2004 have remained relatively constant with 2003 rates. A comparison of average interest rates, weighted according To Whom It May Concern: each class of purchase is summarized as follows:

PURCHASER	2003	2004
Credit Unions	**6.038%**	**5.61%**
Banks	**5.570%**	**4.00%**
General Public	**6.500%**	**6.25%**
Fiscal Agent	**5.974%**	**6.19%**
Municipal Reserve Funds	**6.000%**	**5.50%**
Minister of Finance	**6.378%**	**6.16%**

The Municipal Board issued a total of 145 municipal borrowing By-law Board Orders. These Board Orders authorized, but were not limited to, the following:

a) authorization of certain projects and the borrowing of monies;

b) the issuance of debentures;

c) the reduction or increase of the authorized borrowing; and

d) the cancellation of authorized but unissued borrowing.

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2004

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Altona, Town	E-04-086	7.50	10					363,000		
Arborg, Town	E-04-085	8.00	15					658,000		
Beausejour, Town	E-04-064	10.00	10					237,500		
Birtle, Town	E-04-052	7.50	20	276,000				90,600		
Carman, Town	E-04-110	8.25	20	300,000						
Deloraine, Town	E-04-054	7.00	10						75,000	
Dufferin, R.M.	E-04-015	7.00	10	88,100						
Emerson, Town	E-04-107	7.00	10	54,000						
Ethelbert, R.M.	E-04-074	5.00	5		160,000					
Ethelbert, R.M.	E-04-075	5.00	5						36,500	
Grandview, Town	E-04-083	8.75	20	85,760						
Grey, R.M.	E-04-049	6.00	5				91,500			
Grey, R.M.	E-04-079	7.50	15	204,750						
Grey, R.M.	E-04-080	7.50	10	381,000						
Grey, R.M.	E-04-084	8.00	15	500,000						
Gimli, R.M.	E-04-068	7.50	25	4,000,000						
Hanover, R.M.	E-04-046	10.00	5					465,000		
Harrison, R.M.	E-04-001	8.00	20	130,000						
Macdonald, R.M.	E-04-018	6.00	5	300,000						
Macdonald, R.M.	E-04-023	6.00	5				91,500			

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2004

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Miniota, R.M.	E-04-098	7.25	20	210,000						
Minto, R.M.	E-04-096	5.00	5	40,000						
Montcalm, R.M.	E-04-022	6.00	7					160,000		
Morris, R.M.	E-04-055	6.25	20							1,241,048.92
Morris, R.M.	E-04-056	4.75	1							7,570.33
Neepawa, Town	E-04-119	8.25	10							400,000
Niverville, Town	E-04-048	7.38	13		740,000					
Niverville, Town	E-04-134	8.00	15					722,631		
Niverville, Town	E-04-134	8.00	15	492,726						
Portage la Prairie, R.M.	E-04-104	7.00	20	600,000						
Portage la Prairie, R.M.	E-04-118	7.00	10	323,260						
Rivers, Town	E-04-050	6.25	5					250,000		
Roland, R.M.	E-04-097	6.50	7	2,000						
St. Francois Xavier, R.M.	E-04-093	5.00	10	112,167						
St. Pierre Jolys, Village	E-04-120	8.13	8					90,000		
Ste. Anne, Town	E-04-089	7.25	15					425,000		
Selkirk, City	E-04-070	5.75	3							15,700
Selkirk, City	E-04-071	6.50	10					178,000		
Selkirk, City	E-04-072	7.00	15	383,710						
Selkirk, City	E-04-102	8.50	15	986,700						

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2004

Local Authority	Board Order No.	Rate %	Term Years	Water and Sewer	Municipal Building, etc.	Natural Gas	Land Purchase & Development	Roads/ Paving	Machinery & Equipment	Other Projects
Selkirk, City	E-04-105	8.50	15							430,000
Shoal Lake, Town	E-04-058	8.00	15			235,000				
Silver Creek, R.M.	E-04-127	8.50	20	166,000						
Silver Creek, R.M.	E-04-017	6.00	5						85,000	
Springfield, R.M.	E-04-069	7.00	20	3,000,000						
Steinbach, City	E-04-061	6.50	5					235,000		
Steinbach, City	E-04-062	6.50	5					485,000		
Steinbach, City	E-04-066	6.50	5	640,000						
Steinbach, City	E-04-067	6.50	5	330,000						
Steinbach, City	E-04-073	6.50	5					340,000		
Strathclair, R.M.	E-04-095	5.00	10	100,000						
Tache, R.M.	E-04-103	8.25	8	500,000						
Tache, R.M.	E-04-121	8.25	10					64,400		
Teulon, Town	E-04-088	6.00	10							102,000
Treherne, Town	E-04-091	5.00	7	250,000						
Virden, Town	E-04-090	5.00	7					220,000		
Wallace, R.M.	E-04-060	8.00	20	4,335,000						
Whitehead, R.M.	E-04-026	7.00	20	1,164,000						
Whitemouth, R.M.	E-04-108	7.00	10	147,734						
Whitemouth, R.M.	E-04-108	7.00	10	186,200						
Winkler, City	E-04-044	6.50	5					38,600		

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 2004

LOCAL AUTHORITY	BOARD ORDER NO.	RATE %	TERM YEARS	WATER AND SEWER	MUNICIPAL BUILDING, ETC.	NATURAL GAS	LAND PURCHASE & DEVELOPMENT	ROADS/ PAVING	MACHINERY & EQUIPMENT	OTHER PROJECTS
Winkler, City	E-04-051	6.50	10					160,500		
Winkler, City	E-04-081	6.50	10	315,000						
Winkler, City	E-04-082	6.50	10					392,500		

REVENUE
FOR THE 12 MONTH PERIOD ENDING
DECEMBER 31, 2004
(unaudited)

REVENUE

	Fees	**2003**	**2004**
	The Municipal Act	$ 23,830.00	$ 22,608.00
*	The Municipal Assessment Act	77,861.15	41,954.35
	The Planning Act	425.00	875.00
	Miscellaneous Acts	324.60	1,125.00
	Distribution of Board Orders, Xerox Recoveries, etc.	6,042.42	5,347.90
	GST	421.75	371.54
	TOTAL REVENUE	**$109,904.92**	**$ 72,281.79**
	Less Refunds	$ 55,543.10	$ 46,487.31
	NET REVENUE	**$ 54,361.82**	**$ 25,794.45**

* This revenue is subject to Section 57(4) of *The Municipal Assessment Act* which requires the refund of fees to successful Appellants.